

Form PTO-1449

Docket Number: 00029. 10 CON

Application Number: 10/750,303

# INFORMATION DISCLOSURE CITATION IN AN APPLICATION

(Use several sheets if necessary)

Applicant: Joshua D. RABINOWITZ et al.

Filing Date: 12/30/2003

Group Art Unit: Not Yet Known

## U.S. PATENT DOCUMENTS

Examiner Initials	Ref No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
M	1.	09/01/1959	2,902,484	Horclois			
	2.	02/02/1971	3,560,607	Hartley et al.			
	3.	01/15/1980	4,183,912	Rosenthale			
	4.	05/27/1980	Re. 30,285	Babington			
	5.	01/23/1990	4,895,719	Radhakrishnun et al.			
	6.	09/17/1991	5,049,389	Radhakrishnun			
	7.	02/14/1995	5,388,574	Ingebrethsen			
	8.	08/13/1996	5,544,646	Lloyd et al.			
	9.	12/09/1997	5,694,919	Rubsamen et al.			
	10.	04/07/1998	5,735,263	Rubsamen et al.			
	11.	04/14/1998	5,738,865	Baichwal et al.			
	12.	06/02/1998	5,758,637	Ivri et al.			
	13.	06/29/1999	5,915,378	Lloyd et al.			
	14.	08/10/1999	5,934,272	Lloyd et al.			
	15.	09/28/1999	5,957,124	Lloyd et al.			
	16.	10/05/1999	5,960,792	Lloyd et al.			
	17.	11/30/1999	5,993,805	Sutton et al.			
	18.	03/28/2000	6,041,777	Faithfull et al.			
	19.	04/18/2000	6,051,566	Bianco			
	20.	08/01/2000	6,095,134	Sievers et al.			
	21.	08/01/2000	6,095,153	Kessler et al.			
	22.	08/15/2000	6,102,036	Slutsky et al.			
	23.	06/05/2001	6,241,969	Saidi et al.			
	24.	07/03/2001	6,255,334	Sands			
	25.	10/09/2001	6,299,900	Reed, et al.			

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M	26.	04/23/2002	6,376,550	Raber et al.			
	27.	07/16/2002	6,420,351	Tsai et al.			
	28.	01/14/2003	6,506,762	Horvath et al.			
	29.	02/04/2003	6,514,482	Bartus et al.			
	30.	07/15/2003	6,591,839	Meyer et al.			
	31.	09/06/2001	US 2001/0020147	Staniforth et al.			
	32.	03/28/2002	US 2002/0037828	Wilson et al.			
	33.	05/16/2002	US 2002/0058009	Bartus et al.			
	34.	07/04/2002	US 2002/0086852	Cantor			
	35.	08/22/2002	US 2002/0112723	Schuster et al.			
	36.	11/28/2002	US 2002/0176841	Barker et al.			
	37.	01/02/2003	US 2003/0004142	Prior et al.			
M	38.	02/13/2003	US2003/0032638	Kim et al.			

## RELATED ALEXZA MOLECULAR DELIVERY CORPORATION PATENT DOCUMENTS

M	39.	08/04/2003	10/633,876	Hale et al.			
	40.	08/04/2003	10/633,877	Hale et al.			
	41.	12/30/2003	10/749,537	Rabinowitz et al.			
	42.	12/30/2003	10/749,539	Rabinowitz et al.			
	43.	01/27/2004	10/766,149	Rabinowitz et al.			
	44.	01/27/2004	10/766,279	Rabinowitz et al.			
	45.	01/27/2004	10/766,566	Rabinowitz et al.			
	46.	01/27/2004	10/766,574	Rabinowitz et al.			
	47.	01/27/2004	10/766,634	Rabinowitz et al.			
	48.	01/27/2004	10/766,647	Rabinowitz et al.			
	49.	01/28/2004	10/767,115	Rabinowitz et al.			
	50.	01/29/2004	10/768,205	Rabinowitz et al.			
	51.	01/29/2004	10/768,220	Rabinowitz et al.			
	52.	01/29/2004	10/768,281	Rabinowitz et al.			
	53.	01/29/2004	10/768,293	Rabinowitz et al.			
M	54.	01/30/2004	10/769,046	Rabinowitz et al.			

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M	55.	01/30/2004	10/769,051	Rabinowitz et al.				
	56.	01/29/2004	10/769,157	Rabinowitz et al.				
	57.	01/29/2004	10/769,197	Rabinowitz et al.				
	58.	02/09/2004	10/775,583	Rabinowitz et al.				
	59.	02/09/2004	10/775,586	Rabinowitz et al.				
	60.	03/03/2004	10/791,915	Hale et al.				
	61.	03/03/2004	10/792,001	Rabinowitz et al.				
	62.	03/03/2004	10/792,012	Hale et al.				
	63.	03/03/2004	10/792,013	Rabinowitz et al.				
	64.	03/03/2004	10/792,096	Hale et al.				
	65.	03/03/2004	10/792,239	Hale et al.				
	66.	03/31/2004	10/813,721	Rabinowitz et al.				
	67.	03/31/2004	10/813,722	Rabinowitz et al.				
	68.	03/31/2004	10/814,690	Rabinowitz et al.				
	69.	03/31/2004	10/814,998	Rabinowitz et al.				
	70.	04/01/2004	10/815,527	Rabinowitz et al.				
	71.	04/01/2004	10/816,407	Rabinowitz et al.				
	72.	04/01/2004	10/816,492	Rabinowitz et al.				
	73.	04/01/2004	10/816,567	Rabinowitz et al.				
	74.	08/04/2004	10/912,462	Hale et al.				
	75.	01/23/2003	US 2003/0015196	Hodges et al.				
	76.	04/03/2003	US 2003/0062042	Wensley et al.				
	77.	11/13/2003	US 2003/0209240	Hale et al.				
	78.	01/02/2003	US 2003/0000518	Rabinowitz et al.				
	79.	01/09/2003	US 2003/0005924	Rabinowitz et al.				
	80.	01/09/2003	US 2003/0005925	Hale et al.				
	81.	01/09/2003	US 2003/0007933	Rabinowitz et al.				
	82.	01/09/2003	US 2003/0007934	Rabinowitz et al.				
	83.	01/16/2003	US 2003/0012737	Rabinowitz et al.				
M	84.	01/16/2003	US 2003/0012738	Rabinowitz et al.				

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85.	1/16/2003	US 2003/0012740	Rabinowitz et al.				
86.	01/23/2003	US 2003/0015189	Rabinowitz et al.				
87.	01/23/2003	US 2003/0015190	Rabinowitz et al.				
88.	01/23/2003	US 2003/0017114	Rabinowitz et al.				
89.	01/23/2003	US 2003/0017115	Rabinowitz et al.				
90.	01/23/2003	US 2003/0017116	Rabinowitz et al.				
91.	01/23/2003	US 2003/0017117	Rabinowitz et al.				
92.	01/23/2003	US 2003/0017118	Rabinowitz et al.				
93.	01/23/2003	US 2003/0017119	Rabinowitz et al.				
94.	01/23/2003	US 2003/0017120	Rabinowitz et al.				
95.	1/30/2003	US 2003/0021753	Rabinowitz et al.				
96.	01/30/2003	US 2003/0021754	Rabinowitz et al.				
97.	01/30/2003	US 2003/0021755	Hale et al.				
98.	02/20/2003	US 2003/0035776	Hodges et al.				
99.	05/15/2003	US 2003/0091511	Rabinowitz et al.				
100.	05/27/2004	US 2004/010148	Hale et al.				
101.	07/31/2003	US 2003/0138382	Rabinowitz				
102.	11/06/2003	US 2003/0206869	Rabinowitz et al.				
103.	01/15/2004	US 2004/0009128	Rabinowitz et al.				
104.	05/20/2004	US 2004/0096402	Hodges et al.				
105.	05/27/2004	US 2004/0099269	Hale et al.				
106.	06/03/2004	US 2004/0105818	Hale et al.				
107.	06/03/2004	US 2004/0105819	Hale et al.				
108.	07/01/2004	US 2004/0126326	Rabinowitz et al.				
109.	07/01/2004	US 2004/0126327	Rabinowitz et al.				
110.	07/01/2004	US 2004/0126328	Rabinowitz et al.				
111.	07/01/2004	US 2004/0126329	Rabinowitz et al.				
112.	07/01/2004	US 2004/0127481	Rabinowitz et al.				
113.	07/01/2004	US 2004/0127490	Rabinowitz et al.				
114.	08/12/2004	US 2004/0156788	Rabinowitz et al.				

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M	115.	08/12/2004	US 2004/0156789	Rabinowitz et al.	1	1	
M	116.	8/12/2004	US 2004/0156790	Rabinowitz et al.	1	1	

## FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO
M	117.	03/14/1990	EP 0 358 114	Europe			
	118.	07/03/2001	EP 1 080 720	Europe			
	119.	08/29/2001	EP 0 606 486	Europe			
	120.	04/11/1996	WO 96/09846	WIPO			
	121.	05/09/1996	WO 96/13161	WIPO			
	122.	05/09/1996	WO 96/13290	WIPO			
	123.	05/09/1996	WO 96/13291	WIPO			
	124.	05/09/1996	WO 96/13292	WIPO			
	125.	10/03/1996	WO 96/30068	WIPO			
	126.	08/07/1997	WO 97/27804	WIPO			
	127.	10/02/1997	WO 97/35562	WIPO			
	128.	05/28/1998	WO 98/22170	WIPO			
	129.	07/23/1998	WO 98/31346	WIPO			
	130.	08/27/1998	WO 98/36651	WIPO			
	131.	04/08/1999	WO 99/16419	WIPO			
	132.	12/16/1999	WO 99/64094	WIPO			
	133.	01/06/2000	WO 00/00176	WIPO			
	134.	01/06/2000	WO 00/00215	WIPO			
	135.	05/18/2000	WO 00/27363	WIPO			
	136.	05/18/2000	WO 00/27359	WIPO			
M	137.	05/25/2000	WO 00/29053	WIPO			

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M	138.	09/17/2000	WO 00/47203	WIPO				
	139.	11/02/2000	WO 00/64940	WIPO				
	140.	11/09/2000	WO 00/66084	WIPO				
	141.	11/09/2000	WO 00/66206	WIPO				
	142.	12/21/2000	WO 00/76673	WIPO				
	143.	01/25/2001	WO 01/05459	WIPO				
	144.	03/01/2001	WO 01/13957	WIPO				
	145.	06/14/2001	WO 01/41732	WIPO				
	146.	12/20/2001	WO 01/95903	WIPO				
	147.	03/28/2002	WO 02/24158	WIPO				
M	148.	03/28/2002	WO 02/24158	WIPO				

## OTHER DOCUMENTS

(including author, title, Date, Pertinent Pages, Etc.)

Examiner Initials	Ref. No.	Title
M	149.	Bennett, R.L. et al. (1981). "Patient-Controlled Analgesia: A New Concept of Postoperative Pain Relief," <i>Annual Surg.</i> 195(6):700-705.
	150.	Carroll, M.E. et al. (1990), "Cocaine-base smoking in rhesus monkeys: reinforcing and physiological effects," <i>Psychopharmacology</i> (Berl). 102:443-450.
	151.	Clark, A. and Byron, P. (1986). "Dependence of Pulmonary Absorption Kinetics on Aerosol Particle Size," <i>Z. Erkrank.</i> 166:13-24.
	152.	Darquenne, C. et al. (1997). "Aerosol Dispersion in Human Lung: Comparison Between Numerical Simulations and Experiments for Bolus Tests," <i>American Physiological Society.</i> 966-974.
	153.	Davies, C.N. et al. (May 1972). "Breathing of Half-Micron Aerosols," <i>Journal of Applied Physiology.</i> 32(5):591-600.
	154.	Dershwitz, M., M.D., et al. (September 2000). "Pharmacokinetics and Pharmacodynamics of Inhaled versus Intravenous Morphine in Healthy Volunteers," <i>Anesthesiology.</i> 93(3): 619-628.
	155.	Finlay, W.H. (2001). "The Mechanics of Inhaled Pharmaceutical Aerosols", Academic Press: San Diego Formula 2.39. pp.3-14 (Table of Contents). pp. v-viii.
M	156.	Gonda, I. (1991). "Particle Deposition in the Human Respiratory Tract," Chapter 176, <u>The Lung: Scientific Foundations</u> . Crystal R.G. and West, J.B. (eds.), Raven Publishers, New York. pp. 2289-2294.

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<div style="display: flex; border-bottom: 1px solid black; padding-bottom: 5px;"> <div style="width: 5%; text-align: center; border-right: 1px solid black; padding-right: 5px;">m</div> <div style="width: 5%; text-align: center; border-right: 1px solid black; padding-right: 5px;">157.</div> <div style="padding-left: 5px;">Hatsukami D, et al. (May 1990) "A method for delivery of precise doses of smoked cocaine-base to humans." <i>Pharmacology Biochemistry &amp; Behavior</i>. 36(1):1-7.</div> </div> <div style="display: flex; border-bottom: 1px solid black; padding-bottom: 5px;"> <div style="width: 5%; text-align: center; border-right: 1px solid black; padding-right: 5px;"></div> <div style="width: 5%; text-align: center; border-right: 1px solid black; padding-right: 5px;">158.</div> <div style="padding-left: 5px;">Heyder, J. et al. (1986). "Deposition of Particles in the Human Respiratory Tract in the Size Range 0.005-15 <math>\mu</math>m," <i>J. Aerosol Sci.</i> 17(5):811-822.</div> </div> <div style="display: flex; border-bottom: 1px solid black; padding-bottom: 5px;"> <div style="width: 5%; text-align: center; border-right: 1px solid black; padding-right: 5px;"></div> <div style="width: 5%; text-align: center; border-right: 1px solid black; padding-right: 5px;">159.</div> <div style="padding-left: 5px;">Huizer, H., "Analytical studies on illicit heron. V. Efficacy of volatilization during heroin smoking." <i>Pharmaceutisch Weekblad Scientific Edition</i> (1987). 9(4):203-211.</div> </div> <div style="display: flex; border-bottom: 1px solid black; padding-bottom: 5px;"> <div style="width: 5%; text-align: center; border-right: 1px solid black; padding-right: 5px;"></div> <div style="width: 5%; text-align: center; border-right: 1px solid black; padding-right: 5px;">160.</div> <div style="padding-left: 5px;">Hurt, R.D., MD and Robertson, C.R., PhD, (October 1998). "Prying Open the Door to the Tobacco Industry's Secrets About Nicotine: The Minnesota Tobacco Trial," <i>JAMA</i> 280(13):1173-1181.</div> </div> <div style="display: flex; border-bottom: 1px solid black; padding-bottom: 5px;"> <div style="width: 5%; text-align: center; border-right: 1px solid black; padding-right: 5px;"></div> <div style="width: 5%; text-align: center; border-right: 1px solid black; padding-right: 5px;">161.</div> <div style="padding-left: 5px;">Lichtman, A.H. et al. (1996). "Inhalation Exposure to Volatilized Opioids Produces Antinociception in Mice," <i>Journal of Pharmacology and Experimental Therapeutics</i>. 279(1):69-76.</div> </div> <div style="display: flex; border-bottom: 1px solid black; padding-bottom: 5px;"> <div style="width: 5%; text-align: center; border-right: 1px solid black; padding-right: 5px;"></div> <div style="width: 5%; text-align: center; border-right: 1px solid black; padding-right: 5px;">162.</div> <div style="padding-left: 5px;">Martin, B.R. and Lue, L.P. (May/June 1989). "Pyrolysis and Volatilization of Cocaine," <i>Journal of Analytical Toxicology</i> 13:158-162.</div> </div> <div style="display: flex; border-bottom: 1px solid black; padding-bottom: 5px;"> <div style="width: 5%; text-align: center; border-right: 1px solid black; padding-right: 5px;"></div> <div style="width: 5%; text-align: center; border-right: 1px solid black; padding-right: 5px;">163.</div> <div style="padding-left: 5px;">Mattox, A.J. and Carroll, M.E., (1996). "Smoked heroin self-administration in rhesus monkeys," <i>Psychopharmacology</i>, 125:195-201.</div> </div> <div style="display: flex; border-bottom: 1px solid black; padding-bottom: 5px;"> <div style="width: 5%; text-align: center; border-right: 1px solid black; padding-right: 5px;"></div> <div style="width: 5%; text-align: center; border-right: 1px solid black; padding-right: 5px;">164.</div> <div style="padding-left: 5px;">Meng, Y. et al. "Inhalation Studies With Drugs of Abuse," <i>NIDA Research Monograph</i>, (1997) 173:201-224.</div> </div> <div style="display: flex; border-bottom: 1px solid black; padding-bottom: 5px;"> <div style="width: 5%; text-align: center; border-right: 1px solid black; padding-right: 5px;"></div> <div style="width: 5%; text-align: center; border-right: 1px solid black; padding-right: 5px;">165.</div> <div style="padding-left: 5px;">Meng, Y., et al. (1999). "Pharmacological effects of methamphetamine and other stimulants via inhalation exposure," <i>Drug and Alcohol Dependence</i>. 53:111-120.</div> </div> <div style="display: flex; border-bottom: 1px solid black; padding-bottom: 5px;"> <div style="width: 5%; text-align: center; border-right: 1px solid black; padding-right: 5px;"></div> <div style="width: 5%; text-align: center; border-right: 1px solid black; padding-right: 5px;">166.</div> <div style="padding-left: 5px;">Office Action mailed 8/13/2003 for US application 10/153,313 filed 05/21/2002 "DELIVERY OF BENZODIAZEPINES THROUGH AN INHALATION ROUTE".</div> </div> <div style="display: flex; border-bottom: 1px solid black; padding-bottom: 5px;"> <div style="width: 5%; text-align: center; border-right: 1px solid black; padding-right: 5px;"></div> <div style="width: 5%; text-align: center; border-right: 1px solid black; padding-right: 5px;">167.</div> <div style="padding-left: 5px;">Pankow, J.F. et al. (1997). "Conversion of Nicotine in Tobacco Smoke to Its Volatile and Available Free-Base Form Through the Action of Gaseous Ammonia," <i>Environ. Sci. Technol.</i> 31:2428-2433.</div> </div> <div style="display: flex; border-bottom: 1px solid black; padding-bottom: 5px;"> <div style="width: 5%; text-align: center; border-right: 1px solid black; padding-right: 5px;"></div> <div style="width: 5%; text-align: center; border-right: 1px solid black; padding-right: 5px;">168.</div> <div style="padding-left: 5px;">Pankow, J. (March 2000). ACS Conference-San Francisco-3/26/00. Chemistry of Tobacco Smoke. pp. 1-8.</div> </div> <div style="display: flex; border-bottom: 1px solid black; padding-bottom: 5px;"> <div style="width: 5%; text-align: center; border-right: 1px solid black; padding-right: 5px;"></div> <div style="width: 5%; text-align: center; border-right: 1px solid black; padding-right: 5px;">169.</div> <div style="padding-left: 5px;">Seeman, J. et al. (1999). "The Form of Nicotine in Tobacco. Thermal Transfer of Nicotine and Nicotine Acid Salts to Nicotine in the Gas Phase," <i>J. Agric. Food Chem.</i> 47(12):5133-5145.</div> </div> <div style="display: flex; border-bottom: 1px solid black; padding-bottom: 5px;"> <div style="width: 5%; text-align: center; border-right: 1px solid black; padding-right: 5px;"></div> <div style="width: 5%; text-align: center; border-right: 1px solid black; padding-right: 5px;">170.</div> <div style="padding-left: 5px;">Sekine, H. and Nakahara, Y. (1987). "Abuse of Smoking Methamphetamine Mixed with Tobacco: 1. Inhalation Efficiency and Pyrolysis Products of Methamphetamine," <i>Journal of Forensic Science</i> 32(5):1271-1280.</div> </div> <div style="display: flex; border-bottom: 1px solid black; padding-bottom: 5px;"> <div style="width: 5%; text-align: center; border-right: 1px solid black; padding-right: 5px;"></div> <div style="width: 5%; text-align: center; border-right: 1px solid black; padding-right: 5px;">171.</div> <div style="padding-left: 5px;">Vapotronics, Inc. (1998) located at <a href="http://www.vapotronics.com.au/banner.htm">http://www.vapotronics.com.au/banner.htm</a>, 11 pages, (visited on June 5, 2000).</div> </div> <div style="display: flex; border-bottom: 1px solid black; padding-bottom: 5px;"> <div style="width: 5%; text-align: center; border-right: 1px solid black; padding-right: 5px;">m</div> <div style="width: 5%; text-align: center; border-right: 1px solid black; padding-right: 5px;">172.</div> <div style="padding-left: 5px;">Ward, M.E. MD, et al. (December 1997). "Morphine Pharmacokinetics after Pulmonary Administration from a Novel Aerosol Delivery System," <i>Clinical Pharmacology &amp; Therapeutics</i> 62(6):596-609.</div> </div>			
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m	173.	Wood, R.W. et al. (1996). "Generation of Stable Test Atmospheres of Cocaine Base and Its Pyrolyzate, Methylecgonidine, and Demonstration of Their Biological Activity." <i>Pharmacology Biochemistry &amp; Behavior</i> . 55(2):237-248.
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EXAMINER: mth	DATE CONSIDERED: 11/29/04
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EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.